

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3992 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.M.SONI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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P.R.RAVAL,SUPERVISOR,

Versus

AHMEDABAD URBAN DEVELOPMENT AUTHORITY

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Appearance:

MR YN OZA for Petitioner

SERVED for Respondent No. 1, 2

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CORAM : MR.JUSTICE S.M.SONI

Date of decision: 12/09/97

ORAL JUDGEMENT

Learned Advocate Mr. J.S. Yadav for Mr. Y.N. Oza has brought to the notice of the Court a letter received from the petitioner alongwith a xerox copy of the order passed by the respondent-authority. By the said order of 15th July, 1991 the respondent-authority has given promotion to the petitioner from 15th July, 1991 as Planning Assistant in the scale of Rs.1640-2900/and it appears from the letter that he has

taken over charge of that post as he was directed to handover charge of his post to another officer, namely, Mr. J.J. Panchal.

The relief sought in the petition is to issue direction to the respondent no.1 to follow the resolution passed by which the posts of Planning Assistants are required to be filled in at the ratio of 1:1 i.e. 50% by way of departmental promotees and 50% by way of direct recruitment and to direct the department to strictly adhere to it. It appears from the order passed by the respondent authority the irrespective of the fact whether said rule is followed or not, the petitioner is promoted to the post for which he has made the claim in view of the ratio to be maintained. As the petitioner is already promoted in 1991, the petition becomes infructuous as there will be no purpose in giving any direction to follow the resolution of the Government. Thus, the petition stands dismissed as having become infructuous. No order as to costs.

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